

**THE TOWN OF HILTON HEAD ISLAND**  
**REGULAR TOWN COUNCIL MEETING**

**Date:** Tuesday, May 15, 2012

**Time:** 4:00 P.M.

**Present from Town Council:** Drew A. Laughlin, *Mayor*; Ken Heitzke, *Mayor Pro-Tem*; George Williams, Lee Edwards, Bill Ferguson, Bill Harkins, Kim Likins, *Council Members*.

**Present from Town Staff:** Steve Riley, *Town Manager*; Greg DeLoach, *Assistant Town Manager*; Charles Cousins, *Director of Community Development*; Scott Liggett, *Director of Public Projects and Facilities/Chief Engineer*; Lavar Lucas, *Fire Chief*; Brad Tadlock, *Deputy Fire Chief – Operations*; Joheida Fister, *Fire Marshal*; Cinda Seamon, *Public Education Officer, Fire & Rescue*; Nancy Gasen, *Director of Human Resources*; Susan Simmons, *Director of Finance*; Brian Hulbert, *Staff Attorney*; Jill Foster, *Deputy Director of Community Development*; Teri Lewis, *LMO Official*; Anne Cyran, *Senior Planner*; Nicole Dixon, *Senior Planner*; Shawn Colin, *Comprehensive Planning Manager*; Bob Klein, *Building Official - Community Development Department*; Lynn Buchman, *Administrative Assistant*

**Present from Media:** Tom Barton, *Island Packet*; WSAV-TV news crew; Maria Miller, *WTOC-TV*

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**1) CALL TO ORDER**

Mayor Laughlin called the meeting to order at 4:00 p.m.

**2) PLEDGE TO THE FLAG**

**3) INVOCATION**

**4) FOIA COMPLIANCE** – Public notification of this meeting has been published, posted and mailed in compliance with the Freedom of Information Act and the Town of Hilton Head Island requirements.

**5) Proclamations and Commendations**

**a. Building Safety Month**

Bob Klein accepted the proclamation.

**b. Emergency Medical Services Week**

Several Emergency Medical Technicians with Fire and Rescue accepted the proclamation.

**6) Approval of Minutes**

**a. Town Council Meeting – May 1, 2012**

Mr. Heitzke moved to approve. Mr. Williams seconded. The minutes of the May 1, 2012 Town Council meeting were unanimously approved by a vote of 7-0.

**b. Town Council Budget Workshop – May 1, 2012**

Mr. Heitzke moved to approve. Mr. Williams seconded. The minutes of the May 1, 2012 Town Council Budget Workshop were approved by a vote of 6-0-1, with Mr. Ferguson abstaining since he was not present at the Workshop.

**7) Report of the Town Manager**

Mr. Riley noted that his report would be made out of order, with Chief Lavarin Lucas to make a presentation first.

**d. Presentation of the IAFC Heart Safe Community Award for 2012**

Chief Lucas outlined the public education programs and new initiatives by Fire and Rescue over the last few years designed to reduce the negative effects related to cardiac emergencies. He noted that on May 7, 2012, the International Association of Fire Chiefs (IAFC) had recognized the efforts of Fire and Rescue by awarding the Town of Hilton Head Island a Heart Safe Community Award. The Award was presented to Council by Chief Lucas, Deputy Chief Tadlock, Dr. VanGaby on behalf of the medical control physicians, Jane Laughlin on behalf of the Hilton Head Hospital, and Battalion Chief Joheida Fister.

**c. Consider joining the Lowcountry Economic Alliance – Kim Statler**

Kim Statler, Director of the Lowcountry Economic Alliance, requested the Council consider joining the Alliance, and explained the purpose of the Alliance and its collaboration on a regional level in economic development with the State of South Carolina. Mayor Laughlin asked for a motion approving the Town of Hilton Head Island joining the Lowcountry Economic Alliance.

Mr. Heitzke moved to approve. Mr. Ferguson seconded. A discussion on the benefits, cost of participation, and diversification of board representation followed. The motion was unanimously approved by a vote of 7-0.

**a. Town Manager's Items of Interest**

Mr. Riley reported on some items of interest.

**b. April, 2012 Quarterly Report**

Mr. Riley noted the above report was included in the packet and he would gladly answer any questions.

Mr. Riley also commented on the well attended Awards Ceremony held Monday afternoon in connection with the Mayor's Youth Volunteer Service program. Mayor Laughlin noted that 47 middle and high school students from local schools were recognized on Monday with Youth Volunteer Service Awards for contributing a total of 6,110 hours, with 3 individuals contributing over 300 hours each.

**8) Reports from Members of Council**

**a. General Reports from Council**

Mr. Williams noted the increase in comments received from the public about the Chaplin Linear Park. He emphasized that this is a proposed conceptual plan, with details to be worked out over the next several years.

**b. Report of the Intergovernmental Relations Committee – George Williams, Chairman**  
Mr. Williams noted the Committee meeting scheduled for today had been cancelled, as comments on pending legislation had already been sent and nothing further needed to be done at this time.

**c. Report of the Personnel Committee – Lee Edwards, Chairman**  
No report.

**d. Report of the Planning & Development Standards Committee –Bill Ferguson, Chairman**  
No report.

**e. Report of the Public Facilities Committee – Kim Likins, Chairman**  
No report.

**f. Report of the Public Safety Committee – Bill Harkins, Chairman**  
Mr. Harkins noted that Julie Bell, a Board Member of the Beaufort County Board of Education, would be appearing at the June 4<sup>th</sup> Committee meeting to share her concern and create awareness about alcohol abuse, access, and implications facing our youth on the Island. He encouraged the public to attend.

**g. Report of the LMO Rewrite Committee – Kim Likins, Ex-Officio Member**  
No report.

**9) Appearance by Citizens**

Chester Williams appeared before the Council on the topic of prostate cancer, its prevalence among males, his personal experiences, and the importance of early detection.

Joseph Grant appeared before the Council in opposition of the elliptical circle shown in the preliminary plans for the proposed Chaplin Linear Park.

**10) Unfinished Business**

**a. Second Reading of Proposed Ordinance 2012-09**

Second Reading of Proposed Ordinance 2012-09 to amend Title 16, "The Land Management Ordinance," of the Municipal Code of the Town of Hilton Head Island, South Carolina, by amending Section 16-4-102, the Official Zoning Map with respect to those certain Parcels identified as Parcels 132a, 77, 153, 155a and 154 on Beaufort County Tax Map 11, from OL(Office/Institutional Low Intensity) to the CC (Commercial Center) Zoning District; and providing for severability and an effective date.

Mr. Heitzke moved to approve. Mrs. Likins seconded. Reasons for opposition were noted by Mr. Harkins, Mr. Williams, Mr. Heitzke, and Mr. Edwards, and reasons for support were noted by Mrs. Likins, Mr. Ferguson and Mayor Laughlin.

Public comments were solicited. Joe Ryan addressed the issue of the high vacancy rate of office space on the Island and his support for rezoning of this area. Support was also noted by Carol Romano Geraghty, whose family owns Stacks Restaurant, at 2 Regency Parkway. Long Cove residents, Declan McMullen, Stewart Brown, Bill Rupp, Bill Bender, and Gere

Grimm, all expressed their opposition and concerns for commercial locating next to residential areas, future development, and inadequate buffers. Other Long Cove residents in opposition seated in the audience were noted. Mark Reinhardt, Director of Administration for Hargray, showed an area map in a PowerPoint presentation and pointed out no parcels touch residential property, and noted the positive opportunities to be gained.

Further discussion ensued among the Council Members prior to a vote. The motion failed on a vote of 3-4, with Mr. Edwards, Mr. Heitzke, Mr. Williams, Mr. Harkins opposed, and Mrs. Likins, Mr. Ferguson, and Mayor Laughlin in favor. Mr. Riley pointed out that State and Town Codes require a Resolution to deny any zoning request, so a formal Resolution will be brought before the Council at the next meeting.

**b. Second Reading of Proposed Ordinance 2012-14**

Second Reading of Proposed Ordinance 2012-14 to amend the budget for the Town of Hilton Head Island, South Carolina, for the fiscal year ending June 30, 2012; to provide for the expenditures of certain funds; and to allocate the sources of revenue for the said funds.

Mr. Heitzke moved to approve. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

**11) New Business**

**a. Consideration of a Recommendation**

Consideration of a Recommendation from the Accommodations Tax Advisory Committee for the Chamber of Commerce Visitor and Convention Bureau's proposed 2012-2013 "30 Percent" Budget.

Mr. Heitzke moved to approve. Mrs. Likins seconded. A discussion among the Council members followed, with Mr. Ferguson noting his opposition.

The motion was approved by a vote of 6-1, with Mr. Ferguson opposed.

**b. Consideration of a Resolution regarding a proposed casino**

Consideration of a Resolution of the Town Council of the Town of Hilton Head Island opposing the inclusion of a proposed casino within the Hilton Head Lakes Development located in Jasper County, South Carolina.

Mr. Heitzke moved to approve. Mr. Williams seconded. Mr. Williams presented recommendations for minor wording changes and moved to amend the Resolution to reflect those changes. Mr. Harkins seconded. The motion to amend was approved by a vote of 6-1, with Mr. Ferguson opposed. A discussion followed among the Council members, noting concerns about the casino's use of the name "Hilton Head", which is considered a brand associated with a family-friendly activities, natural beauty and low impact development.

Public comments were solicited. Jill Jauch, representing the New River Auto Mall, voiced their support of the casino and their belief it would bring jobs, help business, and positively impact the area in this economy.

Following further discussion among the Council members, the motion was approved by a vote of 6-1, with Mr. Ferguson opposed.

### **c. First Reading of Proposed Ordinance 2012-11**

First Reading of Proposed Ordinance 2012-11 to amend Title 16 of the *Municipal Code of the Town of Hilton Head Island, South Carolina*, the Land Management Ordinance, Chapter 3, to move Sections 16-3-901, 16-3-902 and 16-3-903 to Chapter 5, Article XIII and to revise all of the language in Chapter 5, Article XIII. These amendments commonly referred to as the *LMO Sign Amendments* as noticed in the Island Packet on March 11, 2012, include changes that provide for revisions of all the language in Chapter 5, Article XIII; and providing for severability and an effective date.

Mr. Heitzke moved to approve. Mrs. Likins seconded. Discussions about specific sections followed, and Anne Cyran clarified the intent of the amendments for the Council members. Concerns about the section dealing with flags were expressed, and a suggestion was made to keep the existing section until such time as the Staff reviews and offers alternatives.

Mr. Williams moved that the proposed Ordinance be amended to remove Section 16-5-1322 dealing with flags and the existing Section 16-5-1318 retained. Mr. Harkins seconded. The motion to amend was approved by a vote of 7-0. Public comment was solicited. Daniel Moskowitz, Chairman of the Legislative Committee for the Hilton Head Area Association of Realtors, expressed the support of the Association for the proposed Sign Amendments, including allowing information tubes to be attached to realtors' signs. Chester Williams expressed his concern about content based sign regulations, but noted that the proposed Ordinance was much better than what is there now. Following public comment, the motion as amended was approved by a vote of 7-0.

### **d. First Reading of Proposed Ordinance 2012-12**

First Reading of Proposed Ordinance 2012-12 to amend Title 16, "the Land Management Ordinance," of the *Municipal Code of the Town of Hilton Head Island, South Carolina*, by amending Section 16-4-102, the Official Zoning Map with respect to that certain parcel identified as Parcel 16A on Beaufort County Tax Map 12, from OL (Office/Institutional Low Intensity) to the PD-1 (Planned Development Mixed Use - Palmetto Dunes Resort Master Plan) Zoning District; and providing for severability and an effective date.

Mr. Heitzke moved to approve. Mr. Williams seconded. Mr. Riley confirmed that a revised Ordinance was provided prior to the meeting, which is now before the Council. Chester Williams, attorney for the applicant, reminded the Council that the Planning Commission had given its unanimous recommendation for this change, and there were no residential properties adjacent to the property. The motion was unanimously approved by a vote of 7-0.

## **12) Executive Session**

Mr. Riley stated he needed an executive session for contractual matters pertaining to land acquisition, including a possible sale or swaps of town-owned land; and personnel matters pertaining to an appointment to the Lowcountry Economic Alliance Board.

At 6:20 p.m. Mr. Heitzke moved to go into Executive Session for the reasons given by the Town Manager. Mr. Williams seconded. The motion was unanimously approved by a vote of 7-0.

Mayor Laughlin called the meeting back to order at 6:44 p.m. and asked if there was any business to take up as a result of executive session.

Mr. Williams moved that the Town Manager, Steve Riley, be appointed as interim representative for the Town on the Lowcountry Economic Alliance Board. Mr. Harkins seconded. The motion was unanimously approved by a vote of 7-0.

**13) Adjournment**

Mr. Heitzke moved to adjourn. Mr. Williams seconded. The motion was approved by a vote of 7-0. The meeting was adjourned at 6:45 p.m.

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Lynn W. Buchman  
Administrative Assistant

Approved:

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Drew A. Laughlin, Mayor